

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, SEPTEMBER 21, 2015 AT 3:00 P.M.**

The Meeting was called to order at 3:00 p.m. Present: Council Chair Fellers; Council Members: Christensen, Eskridge, Gaylor Baird, Lamm, Raybould, City Clerk, Teresa J. Meier; Absent: Camp.

Council Chair Fellers announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

GAYLOR BAIRD Having been appointed to read the minutes of the City Council proceedings of September 14, 2015, reported having done so, found same correct.

Seconded by Lamm and carried by the following vote; AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

PUBLIC HEARING

APPLICATION OF LINCOLN INDEPENDENT BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 98 FEET BY 75 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON OCTOBER 3, 2015 FROM 5:00 P.M. TO 11:00 P.M. - Tim Hruza, Lincoln Independent Business Association, 5001 S. 65th, came forward representing Piedmont business for an event on Oct. 3rd, for Octoberfest.

Carl Eskridge, Council Member, inquired about loud music.

Mr. Hruza stated it would be a low key music event. The music will be facing south in a tent, shops will be facing west. The event will be in L shape and with the park and the trees across the street, it shouldn't be an issue.

Jane Raybould, Council Member, inquired about this event being a family affair how will you keep the kids away from alcohol.

Mr. Hruza stated that the Liquor Control Comm. requires two lines of snow fence. They will be checking ID of everyone and the kids will be in a separate space. Kiwanis will be checking ID, wrist banding and taking money for tickets. You will need to buy tickets before you can get beer. All 6 bartenders have city and state permits and they understand that they can still ID someone even if they have a wrist band.

This matter was taken under advisement.

APPLICATION OF BLUE BLOOD BREWING CO., INC. DBA BLUE BLOOD BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 60 FEET AT ST. MICHAEL PARISH AT 9101 SOUTH 78TH STREET ON SEPTEMBER 27, 2015 FROM 11:00 A.M. TO 6:00 P.M. - Brian Podwinski, Blue Blood Brewing Co., 9322 South 20th, came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF HY-VEE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 233 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 64 FEET BY 33 FEET AT DOMESTI PUPS AT 1541 CENTER PARK ROAD ON OCTOBER 4, 2015 FROM NOON TO 5:00 P.M. - Lisa Henggeler, Hy-Vee, 1601 North 48th, came forward and stated that there would be 3 trained Food and Beverage Hospitality Managers, everyone would show ID at the gates, wrist bands for those who are of age and a black "X" for minors.

This matter was taken under advisement.

APPLICATION OF BDF, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 350 FEET BY 350 FEET AT 605 NORTH 8TH STREET PARKING LOT ON OCTOBER 3, 2015 FROM NOON TO 11:00 P.M. - Kevin Reynolds, BDF, LLC, 140 North 12TH Street., came forward and requested approval.

This matter was taken under advisement.

APPLICATION OF ZIPLINE BREWING COMPANY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON OCTOBER 4, 2015 FROM NOON TO 5:00 P.M. - Kelly Houchen, Zipline Brewing Company, 726 Elmwood Ave., came forward and requested approval.

This matter was taken under advisement.

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APPROVING THE 2015-1016 CITY TAX RATE OF .31958 PER \$100.00 OF ASSESSED VALUATION - Steve Hubka, Interim Finance Director, came forward and stated this is required by state law to pass tax rate.
This matter was taken under advisement.

APPROVING A CORRECTION TO THE GENERAL FUND TAX RATE FOR THE 2015-16 FISCAL YEAR INCLUDED IN RESOLUTION A AMENDING THE SECOND YEAR OF THE 2014-16 BIENNIAL BUDGET ADOPTED AUGUST 31, 2015 - Steve Hubka, Interim Finance Director, came forward and stated that this resolution is to correct the general fund levy portion of the tax rate that was in the resolutions a week ago.
This matter was taken under advisement.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN POLICE UNION (LPU) FOR A TERM EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2015 - Doug McDaniel, Human Resources, came forward and stated this is a one year agreement with a 3 percent increase for Officers, 2.5 percent increase to Sergeants.
Cyndi Lamm, Council Member, inquired if this is last years contract and have the officers already been paid for the increase.
Mr. McDaniel stated that yes it is last years contract and that the pay would be retroactive for all payments.
This matter was taken under advisement.

WAIVER NO. 15015 - APPLICATION OF LANK, LLC TO WAIVE THE ADDITIONAL PARKING REQUIRED BY A CHANGE IN USE FROM DAY CARE TO A KENNEL, PURSUANT TO SECTION 27.67.030(F) OF THE LINCOLN MUNICIPAL CODE, ON PROPERTY GENERALLY LOCATED AT 2205 HIGHWAY 2 - John Nanos, 3737 South 27th Street, came forward representing Lank, LLC, and requested approval.
This matter was taken under advisement.

CHANGE OF ZONE 15025 - APPLICATION OF THE SLOSBURG COMPANY FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-5 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 241 NORTH 44TH STREET - Steve Henrichsen, Planning Department, came forward and stated that this would allow the existing apartment to change from R-4 to R-5.
This matter was taken under advisement.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN WILLIAM SCHWARTZKOPF AND FIRST NEBRASKA TRUST COMPANY, TRUSTEES OF THE EDWARD SCHWARTZKOPF QTIP MARTIAL DEDUCTION TRUST AND THE CITY OF LINCOLN LIMITING THE USE OF PROPERTY TO BE REZONED FROM R-4 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT GENERALLY LOCATED EAST OF SOUTHWEST 1ST STREET AND SOUTH OF WEST L STREET - Derek Zimmerman, Attorney, Baylor Evnen Law, 1248 O Streets, Suite 600, came forward representing TCW, and stated that with Salt Creek to the west, BN Railroad to the south, Cook Foods to the east, and a pocket of residential and industrial to the north, south east and west it has been this way for decades and this property has not been used as residential for decades as it is in flood plain. You have to go down the alley to get to the building . Would like to use this building for storage. Storage is low noise and low use and is a buffer between residential and commercial. They have agreed to 7 conditions to provide a buffer to owners to the east of commercial: 1. Will be limited to storage and contractor services; 2. Not taking any access to the alley; 3. Buffer that is 20 feet along eastern edge of property line, alley plus 20 feet.; 4. Will provide screening requirement is 60 percent from 0 to 10 feet in height ; 5. A number of trees will be preserved; 6. In the park that is to the north there will be fencing that was requested; 7. Drainage will be fixed so that it drains to the south. Discussion followed. .

Terri Pope Gonzalez, 349 South 1st Street, came forward in opposition & shared her concern about the changing of zoning of this property.

Ms. Gaylor Baird inquired if Steve could give more information about zoning in this area.

Steve Henrichsen, Planning Department, stated that this area has been like this for many years. Mr. Henrichsen also stated that the Health Department and Building & Safety have been out to that property and have concluded that it is operating ok.

Ms. Gaylor Baird would not want to see more residential in this area.

Mr. Henrichsen concurred.

Ms. Gaylor Baird inquired about complaints with screening for some of this property.

Chad Blahak, Building & Safety Director, stated that in the past, trees were planted and they did die. The owner has since put up a fence in this area and has fulfilled his requirement. Discussion followed.

Ms. Lamm inquired about the concrete and air quality.

Scott Holmes, Health Department, stated that over many years there have been many complaints and the Health Department has done inspections. Mr. Holmes stated that they have not found any off site dust. The concrete plant is regulated by the clean air act and have only had one violation and that was 12 years ago. EPA checked the Husker Concrete and there was no violations.

Ms. Gaylor Baird inquired about petroleum being stored on property.

Mr. Holmes stated that they would need to meet all codes for holding petroleum on property.

This matter was taken under advisement.

ANNEXATION 15008 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 4.81 ACRES OF PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD;

CHANGE OF ZONE 15022 - APPLICATION OF DEREK ZIMMERMAN FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD;

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN MONTE AND LISA FROEHLICH AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD - Derek Zimmerman, Attorney, Baylor Evnen Law, 1248 O Streets, Suite 600, came forward representing Monte & Lisa Froehlich and stated that the owners are wanting to find a use for existing building, and they are wanting to bring property into the city limits.

Leirion Gaylor Baird, Council Member, inquired about the neighbor to the west, will there be any impact.

Mr. Zimmerman stated that he did not feel that there would be any impact to neighbors.

This matter was taken under advisement.

ANNEXATION 15007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 44.78 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVENUE;

CHANGE OF ZONE 15020 - APPLICATION OF PAR 5 PARTNERS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-2 INDUSTRIAL PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT 4851 NORTH 84TH STREET;

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN PAR 5 PARTNERS, LLC AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVENUE - Steve Henrichsen, Planning Department, stated that this agreement was to connect to water line to the south. The owners will be connecting to the water line on the north so no fee would be charged.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS - NONE

PETITIONS & COMMUNICATIONS

SETTING THE HEARING DATE OF MONDAY, OCTOBER 5, 2015 AT 3 P.M. ON THE APPLICATION OF SALT CREEK HOSPITALITY LLC DBA TOWNEPLACE SUITES BY MARRIOTT FOR A CLASS I LIQUOR LICENSE AT 7353 HUSKER CIRCLE - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89243 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, October 5, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Salt Creek Hospitality LLC DBA Towneplace Suites by Marriott for Class I Liquor License at 7353 Husker Circle, Lincoln.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY, OCTOBER 5, 2015 AT 3 P.M. ON THE MANAGER APPLICATION OF MIKE ZABEL FOR STL OF NEBRASKA INC DBA TARGET STORE T-0879 AT 5330 S. 56TH STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89244 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, October 5, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Mike P. Zabel for Target Store T-0879 at 5330 S 56th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

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SETTING THE HEARING DATE OF MONDAY, OCTOBER 5, 2015 AT 3 P.M. ON THE MANAGER APPLICATION OF STEPHANIE N. MASSA FOR 1515-23 MARKET ST., INC. DBA QUALITY INN AT 3200 NW 12TH STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A- 89245 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, October 5, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Manager Application of Stephanie N. Massa for Quality Inn at 3200 NW 12th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY, OCTOBER 5, 2015 AT 3 P.M. ON THE MANAGER APPLICATION OF HARRY WATSON JR. FOR GRATA LLC DBA GRATA AT 6891 A STREET - CLERK read the following resolution, introduced by Leirion Gaylor Baird, who moved its adoption:

A-89246 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, October 5, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, Ne for the Manager application of Harry L. Watson, Jr. for Grata at 6891 A Street, Suite 108.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Leirion Gaylor Baird

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 15086 to Special Permit #15022, approved by the Acting Planning Director on September 11, 2015, requested by Tom and Barb Tegt, to rescind Special Permit #15022, Expansion of a Nonconforming use at 2120 Woodsdale Boulevard.

LIQUOR RESOLUTIONS

APPLICATION OF LINCOLN INDEPENDENT BUSINESS ASSOCIATION FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 98 FEET BY 75 FEET AT THE SHOPPES AT PIEDMONT AT 1265 SOUTH COTNER ON OCTOBER 3, 2015 FROM 5:00 P.M. TO 11:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-89247 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Lincoln Independent Business Association for a special designated license to cover an outdoor area measuring approximately 98 feet by 75 feet at The Shoppes at Piedmont at 1265 South Cotner, Lincoln, Nebraska, on October 10, 2015, between the hours of 5:00 p.m. and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

APPLICATION OF BLUE BLOOD BREWING CO., INC. DBA BLUE BLOOD BREWING CO. FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 120 FEET BY 60 FEET AT ST. MICHAEL PARISH AT 9101 SOUTH 78TH STREET ON SEPTEMBER 27, 2015 FROM 11:00 A.M. TO 6:00 P.M.. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-89248 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Blue Blood Brewing Company for a special designated license to cover an outdoor area measuring approximately 120 feet by 60 feet at St. Michael Parish at 9101 South 78th Street, Lincoln, Nebraska, on September 27, 2015, between the hours of 11:00 a.m. and 6:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

APPLICATION OF HY-VEE FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 55 FEET BY 233 FEET AND AN INDOOR AREA MEASURING APPROXIMATELY 64 FEET BY 33 FEET AT DOMESTI PUPS AT 1541 CENTER PARK ROAD ON OCTOBER 4, 2015 FROM NOON TO 5:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-89249 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Hy-Vee for a special designated license to cover an outdoor area measuring approximately 55 feet by 233 feet and an indoor area measuring approximately 64 feet by 33 feet at Domesti Pups at 1541 Center Park Road, Lincoln, Nebraska, on October 4, 2015, between the hours of noon and 5:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

APPLICATION OF BDF, LLC FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 350 FEET BY 350 FEET AT 605 NORTH 8TH STREET PARKING LOT ON OCTOBER 3, 2015 FROM NOON TO 11:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-89250 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of BDF, LLC for a special designated license to cover an outdoor area measuring approximately 350 feet by 350 feet at 605 North 8th Street parking lot, Lincoln, Nebraska, on October 3, 2015, between the hours of noon and 11:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

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APPLICATION OF ZIPLINE BREWING COMPANY FOR A SPECIAL DESIGNATED LICENSE TO COVER AN OUTDOOR AREA MEASURING APPROXIMATELY 36 FEET BY 72 FEET AT 2100 MAGNUM CIRCLE ON OCTOBER 4, 2015 FROM NOON TO 5:00 P.M. - CLERK read the following resolution, introduced by Roy Christensen, who moved its adoption for approval:

A-89251 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Zipline Brewing Company for a special designated license to cover an outdoor area measuring approximately 36 feet by 72 feet at 2100 Magnum Circle, Lincoln, Nebraska, on October 4, 2015, between the hours of noon and 5:00 p.m., be approved with the condition that the premises complies in every respect with all City and State regulations and with the following requirements:

1. Identification to be checked, wristbands required on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Roy Christensen

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

PUBLIC HEARING - RESOLUTIONS

APPROVING THE 2015-2016 CITY TAX RATE OF .31958 PER \$100.00 OF ASSESSED VALUATION - PRIOR to reading:

LAMM Moved to amend Bill 15R-200 in the following manner:

1. On page 1, line 3, after the word "resolution", insert the word "passed".
2. On page 1, line 3, after the date "August 31, 2015" insert the following "and amended on September 14, 2015."

Seconded by Gaylor Baird and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: NONE; ABSENT: Camp.

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89252 A RESOLUTION establishing a final property tax levy for the City's 2015-2016 fiscal year and adjusting the City tax rate required in the City budget amendment resolution passed on August 31, 2015 and amended on September 14, 2015.

RECITALS

I.

Pursuant to Neb. Rev. Stat. § 77-1601.02, the City Council of the City of Lincoln is authorized to pass, by a majority vote, a resolution setting the final tax rate.

II.

Pursuant to Neb. Rev. Stat. § 77-1601.02, notice was published in a newspaper of general circulation on September 14, 2015, which date was at least five days prior to September 21, 2015 being the date upon which the City Council held a special public hearing called for the purpose of considering and acting upon this resolution.

III.

When the budget amendment resolution was adopted on August 31, 2015, the tax rate was anticipated to be .31958 per \$100 of assessed valuation. Final certified valuations from the County Assessor's office have not changed the tax rate necessary to fund the adopted budget.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after notice and public hearing as required by law, the City Council does hereby set the following final levy for the City of Lincoln 2015-2016 fiscal year for a property tax request of \$58,985,899: \$0.31958 per \$100 of assessed valuation which total rate is comprised of the following:

| | |
|----------------------------|--------|
| Bond Interest & Redemption | .03195 |
| General | .19567 |
| Library | .04209 |
| Social Security | .01439 |
| Police and Fire Pension | .03518 |
| Unemployment Compensation | .00030 |
| Total | .31958 |

Introduced by Carl Eskridge

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

APPROVING A CORRECTION TO THE GENERAL FUND TAX RATE FOR THE 2015-16 FISCAL YEAR INCLUDED IN RESOLUTION A AMENDING THE SECOND YEAR OF THE 2014-16 BIENNIAL BUDGET ADOPTED AUGUST 31, 2015 - PRIOR to reading:

LAMM Moved to amend Bill 15R-202 in the following manner:
1. On page 1, line 14, after the word “Nebraska”, insert the following:
“that Resolution No. A-89225 be amended by substituting the paragraph below for the Paragraph #1 of Resolution No. A-89225:”
Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.
CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:
A-89253 WHEREAS under the provisions of Section 26a of Article IX of the Charter of the City of Lincoln and Chapter 3.06 of the Lincoln Municipal Code, the biennial budget for the City of Lincoln was submitted on July 14, 2014 and adopted on August 25, 2014; and
WHEREAS, under the provisions of Section 26a of Article IX and chapter 3.06 of the Lincoln Municipal Code and Nebraska Revised Statute 13-511, a notice and public hearing on the proposed revised budget was held on August 24, 2015, notice thereof having been published in one issue of the Lincoln Journal Star, a newspaper of general circulation in the City, more than five days before such hearing;
WHEREAS, Resolution A, adopted August 31, 2015 as Resolution No. A-89225, contained incorrect numbers which need to be corrected.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska that Resolution No. A-89225 be amended by substituting the paragraph below for the Paragraph #1 of Resolution No. A-89225:

1. There is hereby levied upon all taxable property within the corporate limits of the City of Lincoln, Nebraska, upon each one hundred dollars of approximate market value thereof, taxes in an amount sufficient to generate funds for the purposes and in the amounts hereinafter named, to-wit:

| | 2015-16 | 2015-16 | 2015-16 |
|---------|-------------------|--------------------|---------------------|
| | Appropriated | Total Tax As | Per \$100 |
| | <u>Amount-90%</u> | <u>Levied-100%</u> | <u>Market Value</u> |
| General | \$32,503,892 | \$36,115,436 | 0.19567 |

Introduced by Carl Eskridge

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

APPROVING THE LABOR CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN POLICE UNION (LPU) FOR A TERM EFFECTIVE AUGUST 14, 2014 THROUGH AUGUST 31, 2015 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89254 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the attached labor contract between the City of Lincoln and the Lincoln Police Union (LPU) to be effective August 14, 2014 through August 31, 2015, is hereby approved, and the Mayor is authorized to execute the same on behalf of the City.

Introduced by Carl Eskridge

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF AUGUST 16-31, 2015 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89255 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the claims listed in the attached report, marked as Exhibit "A", dated September 1, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

| <u>DENIED CLAIMS</u> | | <u>ALLOWED/SETTLED CLAIMS</u> | |
|------------------------|------------|-------------------------------|-------------|
| Todd Kelly | \$1,287.21 | Doralu Streeter | \$83,634.00 |
| Edgar Aguirre | 1,386.25 | Phoenix Loss Control o/b/o | |
| Donald Laurell | NAS* | Time Warner Cable | 689.21 |
| Linda Denkinger | 1,091.77 | Solution One | 255.85 |
| State Farm a/s/o | | Black Hills Energy | 2,115.00 |
| Noelle Burlington | 979.23 | Pamela Nomenyo | 432.31 |
| Ron Pushcar | 333.00 | Carla Abendroth | 727.44 |
| Steve and Amy Peterson | 3,000.00 | Kenneth E. Kruse | 1,862.69 |
| | | Jones Koffa | 1,547.36 |
| | | Lincoln Housing Authority | 1,961.10 |

* No Amount Specified

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The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

WAIVER NO. 15015 - APPLICATION OF LANK, LLC TO WAIVE THE ADDITIONAL PARKING REQUIRED BY A CHANGE IN USE FROM DAY CARE TO A KENNEL, PURSUANT TO SECTION 27.67.030(F) OF THE LINCOLN MUNICIPAL CODE, ON PROPERTY GENERALLY LOCATED AT 2205 HIGHWAY 2 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89256 WHEREAS, Lank, LLC, pursuant to Lincoln Municipal Code § 27.67.030(f) has requested special review and approval allowing a waiver of the additional required parking for a change of use of an existing 3,384 square foot building on property in the B-1 Local Business District from an early childhood care facility to a kennel. The property is located at 2205 Highway 2 and legally described as:

Lot 35 I.T., located in Section 12, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska;

WHEREAS, the City Council finds that:

a. Under the parking regulations for the B-1 zoning district a change in use of the existing building from an early childhood care facility to a kennel will require the kennel use to provide 12 parking stalls based upon the ratio of one off-street parking stall per 300 sq. ft. of floor area, which is three more than the nine parking stalls currently available on the property.

b. Reducing the required parking to nine parking stalls will accommodate the kennel and will also allow the building to be occupied in the future by other uses that are allowed in the B-1 zoning district, which have the same parking requirement of one off-street parking stall per 300 square feet of floor area, without negatively impacting neighbors.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

In consideration of the findings made above, the B-1 zoning district parking regulation requiring that the change of use of the existing building from an early childhood care facility to a kennel on the property legally described above provide three additional parking stalls is hereby modified pursuant to § 27.67.030(f) of the Lincoln Municipal Code under the following conditions:

1. This approval reduces the required parking from 12 parking stalls to 9 parking stalls for kennels and any other future use in the existing 3,384 square foot building that is allowed in the B-1 district which has the same parking requirement of one off-street parking stall per 300 square feet of floor area.

2. The terms, conditions, and requirements of this resolution shall run with the land and be binding on the Permittee, its successors, and assigns.

3. The City Clerk shall file a copy of the resolution approving the waiver with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Carl Eskridge

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

CHANGE OF ZONE 15025 - APPLICATION OF THE SLOSBURG COMPANY FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO R-5 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 241 NORTH 44TH STREET - CLERK read an ordinance, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

CHANGE OF ZONE 15024 - APPLICATION OF THE TRUSTEES OF THE EDWARD SCHWARTZKOPF QTIP MARTIAL DEDUCTION TRUST FOR A CHANGE OF ZONE FROM R-4 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTHEAST OF SOUTHWEST 1ST STREET AND WEST L STREET (RELATED ITEMS: 15-121, 15R-201) - CLERK read an ordinance, introduced by Carl Eskridge, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the second time.

APPROVING A DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT BETWEEN WILLIAM SCHWARTZKOPF AND FIRST NEBRASKA TRUST COMPANY, TRUSTEES OF THE EDWARD SCHWARTZKOPF QTIP MARTIAL DEDUCTION TRUST AND THE CITY OF LINCOLN LIMITING THE USE OF PROPERTY TO BE REZONED FROM R-4 RESIDENTIAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT GENERALLY LOCATED EAST OF SOUTHWEST 1ST STREET AND SOUTH OF WEST L STREET. (RELATED ITEMS: 15-121, 15R-201)

ORDINANCES - 3rd READING & RELATED RESOLUTIONS

ANNEXATION 15008 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 4.81 ACRES OF PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 15-115, 15-116) - CLERK read an ordinance, introduced by Roy Christensen, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

ESKRIDGE Moved to pass the ordinance as read.
Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.
The ordinance, being numbered **#20237**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 15022 - APPLICATION OF DEREK ZIMMERMAN FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO H-3 HIGHWAY COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD. (RELATED ITEMS: 15-115, 15-116) - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.
Seconded by Eskridge and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.
The ordinance, being numbered **#20238**, is recorded in Ordinance Book 29.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN MONTE AND LISA FROEHLICH AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT 70TH STREET AND ARBOR ROAD - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-89257 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:
That the Conditional Annexation and Zoning Agreement which is attached hereto, marked as Exhibit "A" and made a part hereof by reference, between the City of Lincoln and Monte and Lisa Froehlich, relating to the annexation of a portion of property generally located at 70th Street and Arbor Road and legally described as Lot 59 I.T., located in the Southwest Quarter of Section 27, Township 11 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska and the re-zoning of a part of the annexed portion of Lot 59 I.T. from AG Agricultural District to H-3 Highway Commercial District, as set out in the Agreement is hereby approved and the Mayor is authorized to execute the Conditional Annexation and Zoning Agreement on behalf of the City.
BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of the Conditional Annexation and Zoning Agreement to Tom Cajka, Planning Department, for distribution to the Owners.
BE IT FURTHER RESOLVED that the City Clerk is directed to record the Conditional Annexation and Zoning Agreement with the Register of Deeds to be indexed against Lot 59 I.T., located in the Southwest Quarter of Section 27, Township 11 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska. Recording fees are to be paid in advance by Monte and Lisa Froehlich.
BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

ANNEXATION 15007 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 44.78 ACRES OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVENUE. (RELATED ITEMS: 15-105, 15-106) - CLERK read an ordinance, introduced by Roy Christensen, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.
Seconded by Lamm and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.
The ordinance, being numbered **#20239**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 15020 - APPLICATION OF PAR 5 PARTNERS, LLC FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO I-2 INDUSTRIAL PARK DISTRICT ON PROPERTY GENERALLY LOCATED AT 4851 NORTH 84TH STREET. (RELATED ITEMS: 15-105, 15-106) - CLERK read an

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ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Lamm and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20240**, is recorded in Ordinance Book 29.

APPROVING A CONDITIONAL ANNEXATION AND ZONING AGREEMENT BETWEEN PAR 5 PARTNERS, LLC AND THE CITY OF LINCOLN FOR THE DEVELOPMENT AND ANNEXATION OF PROPERTY GENERALLY LOCATED AT NORTH 84TH STREET AND HAVELOCK AVENUE - PRIOR to reading

CHRISTENSEN Move to amend Bill No. 15R-193 by replacing the Conditional Annexation and Zoning Agreement which is attached to the resolution with the Conditional Annexation and Zoning Agreement.

Seconded by Lamm and carried by the following vote; AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A - 89258 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Conditional Annexation and Zoning Agreement which is attached hereto, marked as Attachment "A" and made a part hereof by reference, between the City of Lincoln and Par 5 Partners, LLC, relating to the annexation of property generally located at 84th Street and Havelock Avenue and the re-zoning of the property from AG Agricultural District to I-2 Industrial Park District in anticipation of Owner constructing an approximately 25,000 square foot office building and later constructing an approximately 50,000 square foot food processing distribution facility, as set out in the Agreement is hereby approved and the Mayor is authorized to execute the Conditional Annexation and Zoning Agreement on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of the Conditional Annexation and Zoning Agreement to Tom Cajka, Planning Department, for distribution to the Owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Conditional Annexation and Zoning Agreement with the Register of Deeds to be indexed against Lots 73 and 81, Irregular Tracts, located in the Southeast Quarter of Section 3, Township 10 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska. Recording fees are to be paid in advance by Par 5 Partners, LLC.

BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this Agreement to Michaela Dugan, Impact Fee Administrator.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote; AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CREATING THE CLASSIFICATIONS OF "PUBLIC SAFETY DISPATCHER," "SENIOR PUBLIC SAFETY DISPATCHER," AND "PUBLIC SAFETY DISPATCH SUPERVISOR." - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20228 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "C," by creating the job classifications of "Public Safety Dispatcher", "Senior Public Safety Dispatcher", and "Public Safety Dispatch Supervisor", the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20241**, is recorded in Ordinance Book 29.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "C" BY CREATING THE CLASSIFICATION OF "PROCESS CONTROL TECHNICIAN" - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20228 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "C," by creating the job classification of "Process Control Technician", the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20242**, is recorded in Ordinance Book 29.

AMENDING THE PAY SCHEDULE FOR THE EMPLOYEE GROUP WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE WHICH IS PREFIXED BY THE LETTER "N" BY CREATING THE CLASSIFICATION OF "AUTOMOTIVE BODY TECHNICIAN" - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20227 passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "N," by creating the job classification of "Automotive Body Technician", the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20243**, is recorded in Ordinance Book 29.

AMENDING THE PAY SCHEDULES FOR THE EMPLOYEE GROUPS WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGES WHICH ARE PREFIXED BY THE LETTERS "A" AND "C" BY CHANGING THE TITLE AND PAY RANGE OF CLASS 3011 FROM "EMS MANAGEMENT SUPPORT SPECIALIST" IN PAY RANGE A14 TO "EMS SUPPLY SPECIALIST" IN PAY RANGE C26 - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 20228 and Ordinance No. 20229 both passed August 10, 2015, relating to the schedules of pay ranges for employees of the City of Lincoln whose classifications are assigned to a pay range which is prefixed by the letter "C" and "A," by changing the pay range and class title for the job classification "EMS Management Support Specialist" from A14 to C26 "EMS Supply Specialist", the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Eskridge and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20244**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 2463E - APPLICATION OF 3 AMIGOS PROPERTIES, LLC, TO AMEND HIGHPOINTE PLANNED UNIT DEVELOPMENT BY CHANGING THE ZONING FROM R-3 RESIDENTIAL DISTRICT PUD TO B-2 PLANNED NEIGHBORHOOD BUSINESS DISTRICT PUD; AND FOR APPROVAL OF AN AMENDED DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES IN CONJUNCTION WITH A RESTAURANT AS A PERMITTED USE IN THE B-2 AREA, AND ADJUSTS THE PARKING REQUIREMENT TO ONE SPACE PER 300 SQUARE FEET OF FLOOR FOR ALL USES IN THE B-2 AREA, ON PROPERTY GENERALLY LOCATED AT 4701 OLD CHENEY ROAD - CLERK read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20245**, is recorded in Ordinance Book 29.

APPROVING THE SECOND AMENDMENT TO THE BOND ORDINANCE FOR THE CITY OF LINCOLN HAYMARKET HOTEL/TOOL HOUSE REDEVELOPMENT PROJECT IN DOWNTOWN LINCOLN TO AMEND THE TOTAL NOT TO EXCEED AMOUNT TO \$3,015,000 - CLERK read an ordinance, introduced by Roy Christensen, amending Ordinance No. 19403, as previously amended by Ordinance No. 19590, to increase the authorized principal amount of bonds to \$3,015,000; to repeal certain provisions of Ordinance No. 19403, as amended by Ordinance No. 19590, in connection therewith; taking other action in connection with the foregoing; and related matters, the third time.

CHRISTENSEN Moved to pass the ordinance as read.

Seconded by Raybould and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

The ordinance, being numbered **#20246**, is recorded in Ordinance Book 29.

ANNEXATION 15006 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 45.73 ACRES AND ADJACENT RIGHTS-OF-WAY ON PROPERTY GENERALLY LOCATED AT SOUTH 63RD STREET AND YANKEE HILL ROAD. (RELATED ITEMS: 15-108, 15-109) - PRIOR to reading:

GAYLOR BAIRD Moved to continue 3rd Reading & Action 1 week with public hearing to 09/28/15.

Seconded by Christensen and carried by the following vote: AYES: Christensen, Eskridge, Fellers, Gaylor Baird, Lamm, Raybold; NAYS: None; ABSENT: Camp.

CLERK Read an ordinance, introduced by Roy Christensen, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

CHANGE OF ZONE 04075F - APPLICATION OF THE OWNERS, TO AMEND VILLAGE GARDENS PLANNED UNIT DEVELOPMENT BY EXPANDING THE BOUNDARY TO INCLUDE APPROXIMATELY 46 ADDITIONAL ACRES, FOR A CHANGE OF ZONE FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT ON SAID ADDITIONAL PROPERTY; FOR A PLANNED UNIT DEVELOPMENT DISTRICT DESIGNATION OF SAID PROPERTY; AND FOR A DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW ADDITIONAL SINGLE-FAMILY DWELLING LOTS ON THE UNDERLYING R-3 ZONED AREA. (RELATED ITEMS: 15-108, 15-109) - PRIOR to reading:

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GAYLOR BAIRD Moved to continue 3rd Reading & Action 1 week with public hearing to 09/28/15.
Seconded by Christensen and carried by the following vote; AYES: Christensen, Eskridge, Fellers,
Gaylor Baird, Lamm, Raybold; NAYS: None; ABSENT: Camp.
CLERK Read an ordinance, introduced by Roy Christensen, amending the Lincoln Zoning District maps
attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of
the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the
third time.

RESOLUTIONS - 1ST READING

APPROVING THE VICTORY PARK - VA CAMPUS REDEVELOPMENT AGREEMENT BETWEEN THE CITY
OF LINCOLN, SENIORS FOUNDATION VA VISION, LLC, AND VICTORY PARK, LLC RELATING TO
THE REDEVELOPMENT OF PROPERTY LOCATED AT 600 SOUTH 70TH STREET FOR HOUSING,
MEDICAL CARE, AND SERVICES FOR SENIORS AND VETERANS. (RELATED ITEMS: 15R-197,
15R-198)

AMENDING THE FY 15/16 CIP TO AUTHORIZE AND APPROPRIATE \$7,134,000.00 IN TIF FUNDS FOR THE
VICTORY PARK - VA CAMPUS PROJECT. (RELATED ITEMS: 15R-197, 15R-198)

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING
DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF SEPTEMBER 1-15, 2015.

REAPPOINTING GEORGIA BLOBAUM, CAROLE BURT, AND DR. MICHAEL MOLVAR TO THE COMMUNITY
HEALTH ENDOWMENT BOARD FOR TERMS EXPIRING SEPTEMBER 1, 2018. (*CONSENT*)

REAPPOINTING DAVID MCBRIDE AND JAMES O'HANLON TO THE PINNACLE BANK ARENA ADVISORY
COMMITTEE FOR TERMS EXPIRING AUGUST 31, 2019. (*CONSENT*)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

CREATING WATER DISTRICT 1204 FOR THE PURPOSE OF CONSTRUCTING A 6-INCH WATER MAIN IN
26TH STREET FROM H STREET TO J STREET AND ASSESSING THE COSTS THEREOF AGAINST
THE BENEFITTED PROPERTIES - Clerk read an ordinance introduced by Leirion Gaylor Baird, an
ordinance creating Water District No. 1208, designating the real estate to be benefitted, providing for
assessments of the costs of the improvements constructed therein, providing for the acquisition of easements and
additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith,
the first time.

CREATING WATER DISTRICT 1205 FOR THE PURPOSE OF CONSTRUCTING A 6-INCH WATER MAIN IN
C STREET FROM 1ST STREET TO 2ND STREET AND ASSESSING THE COSTS THEREOF AGAINST
THE BENEFITTED PROPERTIES - Clerk read an ordinance introduced by Leirion Gaylor Baird, an
ordinance creating Water District No. 1209, designating the real estate to be benefitted, providing for
assessments of the costs of the improvements constructed therein, providing for the acquisition of easements and
additional right-of-way, if necessary, and repealing all ordinances or parts of ordinances in conflict herewith,
the first time.

ADJOURNMENT

4:34 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of September 21, 2015.
Seconded by Raybould and carried by the following vote; AYES: Christensen, Eskridge, Fellers,
Gaylor Baird, Lamm, Raybould; NAYS: None; ABSENT: Camp.

Teresa J. Meier, City Clerk

Rhonda Bice, Office Specialist